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HONORABLE THOMAS O. RICE

5 **UNITED STATES DISTRICT COURT FOR THE
6 EASTERN DISTRICT OF WASHINGTON**

7 CINDY ELLEN OCHOA, as an individual,

8 No. 2:18-cv-00297-TOR

9 Plaintiff,

10 **PLAINTIFF CINDY ELLEN OCHOA'S
11 NOTICE OF ACCEPTANCE OF
12 DEFENDANT SEIU 775'S RULE 68
13 OFFER OF JUDGMENT.**

14 SERVICE EMPLOYEES
15 INTERNATIONAL UNION LOCAL 775,
16 an unincorporated labor association;
17 PUBLIC CONSULTING GROUP, INC., a
18 Massachusetts corporation; PUBLIC
19 PARTNERSHIPS LLC, incorporated in
20 Delaware; CHERYL STRANGE in her
21 official capacity as SECRETARY of the
22 DEPARTMENT OF SOCIAL AND
23 HEALTH SERVICES, and JAY INSLEE,
in his official capacity as GOVERNOR of
the STATE OF WASHINGTON,

Defendants.

NO. 2:18-cv-00297-TOR
PLAINTIFF'S ACCEPTANCE OF
DEFENDANT SEIU 775'S RULE 68
OFFER OF JUDGMENT

1 **PLAINTIFF'S NOTICE OF ACCEPTANCE OF DEFENDANTS' OFFER OF**
2 **JUDGMENT**

3 Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff CINDY ELLEN
4 OCHOA, through her undersigned counsel, hereby accepts and provides notice that she has
5 accepted Defendant SEIU 775's Rule 68 Offer of Judgment to Plaintiff dated March 27, 2019,
6 attached hereto as Exhibit A.

7 DATED this 27 day of March, 2019.
8

9 Respectfully submitted,

10 s/ Sydney Phillips

11 Sydney Phillips, WSBA #54295

SPhillips@freedomfoundation.com

12 Caleb Jon Vandenbos, WSBA #50231

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13 FREEDOM FOUNDATION

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14 Olympia, WA 98507-9501

T: 360.956.3482

15 F: 360.352.1874

16 Attorneys for Plaintiff, Cindy Ochoa

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NO. 2:18-cv-00297-TOR
PLAINTIFF'S ACCEPTANCE OF
DEFENDANT SEIU 775'S RULE 68
OFFER OF JUDGMENT

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on March 27, 2019, I filed the foregoing with the Clerk of the Court
3 using the CM/ECF System, which in turn automatically generate a Notice of Electronic Filing
4 (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for
5 the foregoing specifically identifies recipients of electronic notice:

6 Cheryl L. Wolfe, WSBA No. 15555
7 Senior Counsel
8 Labor and Personnel Division
9 1116 West Riverside Avenue, Suite 100
10 Spokane, WA 99201
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Attorney for SEIU 775

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20 Spokane, WA 99201
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23 Email: mlouver@ecl-law.com
Attorney for Defendants, PCG and PP LLC

16 Signed this 27 day of March, 2019.

17 /s/ Sydney Phillips
18 Sydney Phillips

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23 NO. 2:18-cv-00297-TOR
24 PLAINTIFF'S ACCEPTANCE OF 3
DEFENDANT SEIU 775'S RULE 68
OFFER OF JUDGMENT

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FOUNDATION

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Exhibit A

1 HONORABLE THOMAS O. RICE
2

3 Michael C. Subit, WSBA #29189
4 FRANK FREED SUBIT & THOMAS LLP
5 705 Second Avenue, Suite 1200
6 Seattle, Washington 98104
7 Telephone: (206) 682-6711
8

9
10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF WASHINGTON
12

13 CINDY ELLEN OCHOA,
14 Plaintiff,
15 v.
16 SERVICE EMPLOYEES
17 INTERNATIONAL UNION LOCAL
18 775, *et al.*,
19 Defendants.
20

NO. 2:18-cv-00297-TOR

DEFENDANT SEIU 775'S RULE
68 OFFER OF JUDGMENT TO
PLAINTIFF

21
22 Without admitting fault, defendant SEIU 775 hereby offers, pursuant to Fed.
23 R. Civ. P. 68, to allow judgment to be entered against it and in favor of plaintiff
24 Cindy Ellen Ochoa in the sum of \$28,000 (twenty-eight thousand dollars) inclusive
25 of (1) costs accrued prior to the date of this offer, including reasonable attorneys'
26 fees under 42 U.S.C. § 1988(b), and (2) attorneys' fees not recoverable as costs
27 under 42 U.S.C. § 1988(b).
28
29

1 DATED this 27th day of March, 2019.

2 FRANK FREED SUBIT & THOMAS LLP

3 By: /s/ Michael C. Subit, WSBA #29189

4 Michael C. Subit, WSBA #29189

5 705 Second Avenue, Suite 1200

6 Seattle, Washington 98104

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9 Email: msubit@frankfreed.com

10 *Attorneys for Defendant SEIU 775*

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2 **CERTIFICATE OF SERVICE**

3

4 I, Hannelore Ohaus, certify and state as follows:

5

6 1. I am a citizen of the United States and a resident of the state of
 7 Washington; I am over the age of 18 years and not a party of the within entitled
 8 cause. I am employed by the law firm of Frank Freed Subit & Thomas LLP, whose
 9 address is 705 Second Avenue, Suite 1200, Seattle, Washington 98104.

10 2. I caused to be served upon counsel of record at the address and in the
 11 manner described below, on March 27, 2019, the foregoing document.

12 Cheryl Lynn Wolfe [] U.S. Mail
 Attorney General of Washington [] ABC Legal Messenger
 1116 W. Riverside Avenue [] Facsimile
 Spokane, WA 99201-1194 [X] E-Mail
cherylw@atg.wa.gov

13 Markus W. Louvier [X] U.S. Mail
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 14 818 W. Riverside, Suite 250 [] Facsimile
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16 Caleb Jon F. Vandenbos [] U.S. Mail
 Sydney Phillips [] ABC Legal Messenger
 17 Freedom Foundation [] Facsimile
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1 I hereby declare under the penalty of perjury of that the foregoing is true and
2 correct.

3 DATED at Seattle, Washington on this 27th day of March 2019.

4 s/ Hannelore Ohaus

5 Hannelore Ohaus

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